

expended, after the United States has acquired title, and disbursements under this Act shall be annually reported by the Secretary of War to Congress.

Approved, July 3, 1926.

July 3, 1926.

[H. R. 5810.]

[Public, No. 468.]

CHAP. 747.—An Act Granting the consent of Congress to John F. Kenward to construct a bridge and approaches thereto across Lake Washington from a point on the west shore in the city of Seattle, county of King, State of Washington, easterly to a point on the west shore of Mercer Island in the same county and State.

Lake Washington.
John F. Kenward
may bridge, in Seattle,
Wash.

Construction.
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Acquisition author-
ized, after completion,
by Washington, etc.

Determination of
compensation if ac-
quired by condemna-
tion.

Limitation.

Tolls under State,
etc., operation.
Rates applied to op-
eration, sinking fund,
etc.

Maintenance as free
bridge, etc., after amor-
tizing costs

Record of expendi-
tures and receipts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to John F. Kenward, his heirs, executors, administrators, or assigns, to construct, maintain, and operate a bridge across Lake Washington at a point suitable to the interests of navigation, from a point on the west shore of Lake Washington approximately due east of the intersection of Orcas Street and Seward Park Avenue, Seattle, King County, Washington, running thence easterly to a point on the west shore of Mercer Island approximately due east from the point of beginning, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. After the completion of such bridge, as determined by the Secretary of War, either the State of Washington, any political subdivision thereof within or adjoining which any part of such bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interests in real property necessary therefor, by purchase or condemnation in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation. If at any time after the expiration of 25 years after the completion of such bridge the same is acquired by condemnation, the amount of damages or compensation to be allowed shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value, (2) the actual cost of acquiring such interests in real property, (3) actual financing and promotion cost, not to exceed 10 per cent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property, and (4) actual expenditures for necessary improvements.

SEC. 3. If such bridge shall at any time be taken over or acquired by any municipality or other political subdivision or subdivisions of the State of Washington under the provisions of section 2 of this Act, and if tolls are charged for the use thereof, the rates of toll shall be so adjusted as to provide a fund sufficient to pay for the cost of maintaining, repairing, and operating the bridge and its approaches, and to provide a sinking fund sufficient to amortize the amount paid for such bridge and its approaches as soon as possible under reasonable charges, but within a period of not to exceed 25 years from the date of acquiring the same. After a sinking fund sufficient to amortize the cost of acquiring the bridge and its approaches shall have been provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper care, repair, maintenance, and operation of the bridge and its approaches. An accurate record of the amount paid for the bridge and its approaches, the expenditures for operating, repairing, and

maintaining the same, and of daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The said John F. Kenward, his successors, and assigns shall within 90 days after the completion of such bridge file with the Secretary of War a sworn itemized statement showing the actual original cost of constructing such bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion cost. The Secretary of War may at any time within three years after the completion of such bridge investigate the actual cost of constructing the same, and for such purpose the said John F. Kenward, his successors, and assigns shall make available all of its records in connection with the financing and construction thereof. The findings of the Secretary of War, as to the actual original cost of the bridge, shall be conclusive, subject only to review in a court of equity for fraud or gross mistake.

SEC. 5. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to John F. Kenward, his successors, and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure, or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 3, 1926.

Sworn statement of construction costs, to be filed after completion.

Investigation by Secretary of War.

Findings of Secretary conclusive.

Right to sell, etc., conferred.

Amendment.

CHAP. 748.—An Act To designate the times and places of holding terms of the United States District Court for the District of Montana.

July 3, 1926.

[H. R. 5701.]

[Public, No. 469.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 92 of the Judicial Code of the United States be amended to read as follows:

United States courts Vol. 36, p. 1118, amended.

"SEC. 92. MONTANA.—That the State of Montana shall constitute one judicial district, to be known as the district of Montana. Terms of the district court shall be held at Helena, Butte, Great Falls, Lewistown, Billings, Missoula, Glasgow and Havre at such times as may be fixed by rule of such court: *Provided*, That suitable rooms and accommodations for holding court at Glasgow, Lewistown and Havre are furnished free of all expense to the United States. Causes, civil and criminal, may be transferred by the court or a judge thereof from any sitting place designated above to any other sitting place thus designated, when the convenience of the parties or the ends of justice would be promoted by the transfer; and any interlocutory order may be made by the court or judge thereof in either place."

Montana judicial district. Constituted. Terms of court.

Proviso. Rooms to be furnished at Glasgow, Lewistown, and Havre free. Transfer of causes.

Approved, July 3, 1926.

CHAP. 749.—An Act To extend the times for commencing and completing the construction of a bridge across the Wabash River at the city of Mount Carmel, Illinois.

July 3, 1926.

[H. R. 10605.]

[Public, No. 470.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge authorized by Act of Congress, approved March 3, 1925, to be built across the Wabash River from a point in the city of Mount Carmel, Wabash

Wabash River. Time extended for bridging, at Mount Carmel, Ill. Vol. 43, p. 1131, amended. Post, pp. 1265, 1339.